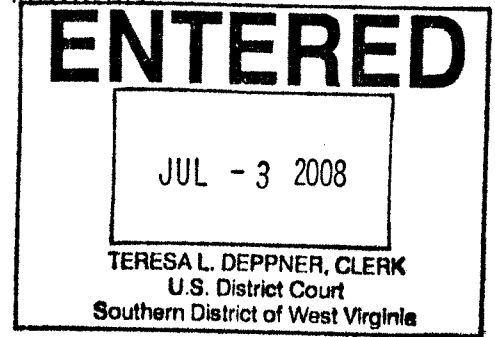


IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
HUNTINGTON DIVISION



DONALD BARCUS and LOIS BARCUS, )  
husband and wife; ALBERT MITCHEM and )  
CATHY MITCHEM, husband and wife; )  
DANNIE OSBORNE and BENONA OSBORNE, )  
husband and wife; WILLIAM THOMAS and )  
KAREN THOMAS, husband and wife; VIRGIL )  
WADE and WILMA WADE, husband and wife, )

Plaintiffs, )

vs. )

Civil Action No. 3:08-CV-0344

LINDE, INC., f/k/a THE BOC GROUP, INC., )  
f/k/a AIRCO, INC., a Delaware Corporation; )  
THE ESAB GROUP, INC., a Delaware )  
Corporation, individually and as successor in )  
interest to Alloy Rods, Inc. and Chemetron )  
Corporation; HOBART BROTHERS COMPANY, )  
an Ohio Corporation; THE LINCOLN ELECTRIC )  
COMPANY, an Ohio Corporation; BECKLEY )  
WELDING SUPPLY, INC., a West Virginia )  
Corporation; MABSCOTT SUPPLY COMPANY, )  
a West Virginia Corporation; TRI-STATE )  
OXYGEN OF WEST VIRGINIA, INC., a West )  
Virginia Corporation; VALLEY NATIONAL )  
GASES, INC., a West Virginia Corporation; )  
WILLARD C. STARCHER, INC., a West )  
Virginia Corporation; JOHN DOE ONE through )  
JOHN DOE TEN, )

Defendants. )

**CONSENT ORDER**

This matter having come before the Court and having been advised that all parties  
are in agreement, and being otherwise advised, finds as follows:

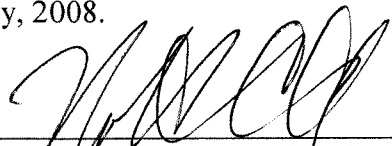
1. The parties involved in the above-referenced case agree that Defendants Motion to Stay All Proceedings Pending Transfer by the Judicial Panel on Multidistrict Litigation, Case No. 3:08-cv-00344, filed on May 23, 2008 in the United States District Court for the Southern District of West Virginia, should be granted.

2. The parties further agree that this case should be transferred to the Welding Fume Products Liability Multidistrict Litigation by the MDL Panel.


3. The parties further agree that the Plaintiffs' Motion to Remand is appropriately heard and decided in the Welding Fume Products Liability Litigation; provided however, that as set forth in their Motion to Remand, Plaintiffs maintain that the removal was improper and that the case should be remanded to the Circuit Court of Wayne County, West Virginia.

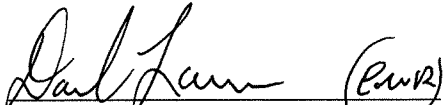
IT IS HEREBY ORDERED AND ADJUDGED that this matter is stayed pending transfer of the case to the Welding Fume Products Liability Multidistrict Litigation by the MDL Panel.


SO ORDERED this the 3<sup>d</sup> day of July, 2008.


  
The Honorable Robert Chambers

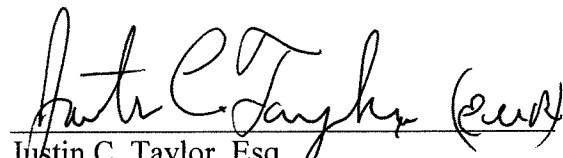
AGREED AND APPROVED BY:

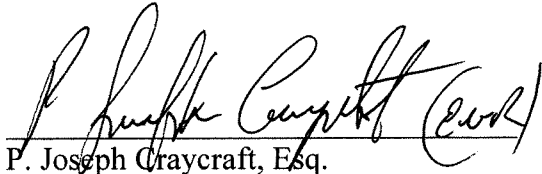
  
Christopher Luzier, Esq. (WV I.D. #9835)  
James F. Humphries & Associates, L.C.  
500 Virginia St. East  
Suite 800, United Center  
Charleston, WV 25301  
Telephone: (304) 347-5050  
Facsimile: (304) 347-5055  
*Attorney for Plaintiffs*

  
David Lamm, Esq. (WV I.D. #6445)  
Davis, McFarland & Carroll, P.C.  
10<sup>th</sup> Floor, One Gateway Center  
Pittsburgh, PA 15222-1416  
Telephone: (412) 281-0737  
Facsimile: (412) 261-7251

  
Edward W. Rugeley, III, Esq.  
Andrew P. Arbogast, Esq.  
Spilman Thomas & Battle, PLLC  
300 Kanawha Boulevard East  
P.O. Box 1723  
Charleston, WV 25321  
*Attorneys for Defendants The ESAB Group, Inc., Hobart Brothers Company, The Lincoln Electric Company, Linde, Inc., f/k/a The BOC Group, Inc., Valley National Gases, Inc., and Willard C. Starcher, Inc.*

  
J. Greg Goodykoontz, Esq.  
Kelly J. Little-Guice, Esq.  
Steptoe & Johnson, PLLC  
Chase Tower, Sixth Floor  
P.O. Box 2190  
Clarksburg, WV 26302-2190  
*Attorneys for Defendant Beckley Welding Supply*

  
Justin C. Taylor, Esq.  
Bailey & Wyant, PLLC  
500 Virginia St. East, Suite 600  
P.O. Box 3710  
Charleston, WV 25337  
*Attorneys for Tri-State Oxygen of West Virginia, Inc. and Mabscott Supply Company*

A handwritten signature in black ink, appearing to read "P. Joseph Graycraft (Esq.)", written over a horizontal line.

P. Joseph Graycraft, Esq.  
Dickie, McCamey & Chilcote, L.C.  
1233 Main St., Suite 2002  
Wheeling, WV 26003  
*Co-Counsel for Valley National Gases, Inc.*